

July 26, 2010
Seven o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, July 26, 2010, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, LINDA ROBINSON, SAM BAGGETT, JIMMY PHILLIPS, and MURRY WITCHER (7/0), a quorum was declared. Alderman CHARLIE HIGHT arrived at 7:08 p.m. City Clerk Diane Whitbey and City Attorney, C. Jason Carter were also present.

The invocation was given by Mayor Hays, followed by the pledge of allegiance to the flag which was also led by Mayor Hays.

On the motion of Alderman Witcher, and seconded by Alderman Phillips, and by consent of all members present, the minutes of a regular council meeting and a Special Call meeting held on Monday, July 12, 2010, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Taylor and seconded by Alderman Witcher, and by consent of all members present, communications # 1, 2, 5, and 6 were accepted and filed (7/0).

1. Glinda Craigmyle, Mayor's Office memorandum re: *Retail Beer off Premises - Replacement from Soonoh Lee* for Lucky Mart (fka) Lee's Exxon, 1504 Hwy 161, by Danette L. Harris.
2. Glinda Craigmyle, Mayor's Office memorandum re: *Restaurant Mixed Drink - Change of Manager from Diane Blount* for Carino's Italian Kitchen, 4221 Warden Road, by Norris D. Samuelson.
5. Nathan Brandes (via email) re: Electronic Changeable Copy Signs (ECCS) (recommend minimum 400' from traffic signaling devise on McCain and North Hills).
6. City Attorney Carter letter re: ACLU of Arkansas letter dated June 19, 2010, regarding non-sectarian prayer during City Council meetings.

On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Alderman Hight who entered the council chamber during roll call and passed the vote, the communication was read, accepted and filed (7/1).

3. Charlie Knott (via email) re: Electronic Changeable Copy Signs (ECCS) (minimum 400' on McCain and North Hills).

Alderman Hight entered the council chambers at approximately 7:08 p.m.

On the motion of Alderman Witcher and seconded by Alderman Phillips, and by consent of all members present, communication #4 was read, accepted and filed (8/0).

4. Jo Melton (via email) re: Electronic Changeable Copy Signs (ECCS) (minimum 400').

Mayor Hays asked City Treasurer Mary Ruth Morgan and her husband Frederick "Buddy" Morgan to come forward. He then read a proclamation proclaiming July 30, 2010, as their day in

honor of their 60th Wedding Anniversary and extended to them best wishes. Mrs. Morgan was born in North Little Rock by the river. She never imagined when she was growing up how much she would be blessed by this city.

Mayor Hays announced a Special Call scheduled for this date.

July 23, 2010 (via email)

Subject: Special Call Meeting for 7:05 p.m. on July 26, 2010

Honorable Members of the North Little Rock City Council:

The purpose of this e-mail is to advise you that Mayor Hays has called a special meeting of the North Little Rock City Council for 7:05 p.m. on Monday, July 26, 2010, at City Hall Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1) A RESOLUTION CONFIRMING THE APPOINTMENT OF CARMEN SANDERS SIMPSON TO THE BOARD OF COMMISSIONERS FOR CENTRAL ARKANSAS WATER; AND FOR OTHER PURPOSES.
Sponsor: Mayor Hays
- 2) A RESOLUTION REAPPOINTING ROB BEST TO THE NORTH LITTLE ROCK ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER PURPOSES.
Sponsor: Mayor Hays

Pursuant to Sec. 2-48(2) of the North Little Rock Municipal Code, you are entitled to 72 hours' *electronic* notice of this meeting. Please acknowledge receipt of this e-mail as soon as possible by replying to the same. A copy of your reply will automatically be sent to City Clerk Diane Whitbey.

Respectfully submitted,
C. Jason Carter
City Attorney

Special Call #1 (RESOLUTION NO. 7680 - MAYOR HAYS)
A RESOLUTION CONFIRMING THE APPOINTMENT OF CARMEN SANDERS SIMPSON TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER (CAW); AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. On the motion of Alderman Hight and seconded by Alderman Witcher, the resolution was amended as follows:: *attach personal information sheet* (8/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was unanimously adopted as amended (8/0). Mayor Hays reminded council members of an Interlocal Agreement between the city and Central Arkansas Water pertaining to the recommendation of commissioners. Mayor Hays said Mrs. Francille Turbyfill served a number of years on the commission. Mayor Hays thanked Mrs. Simpson who

was present for her service to the community. Mrs. Simpson thanked the council for confirming her appointment to the board. She is an attorney and is married to Drew Simpson.

Special Call #2 (RESOLUTION NO. 7681 - MAYOR HAYS)

A RESOLUTION REAPPOINTING ROB BEST TO THE NORTH LITTLE ROCK

ADVERTISING & PROMOTION COMMISSION, AND FOR OTHER PURPOSES, was read.

On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was unanimously adopted (8/0).

Mayor Hays announced citizen public comment on agenda items. Mr. Nate Brandes, Ward 4, spoke regarding O-10-52, Electronic Changeable Copy Signs. He thanked the mayor for his recognition of a safety report provided by Alderwoman Ross. The distance of these signs is a safety issue. Mr. Patrick Stair spoke regarding O-10-52. He referenced studies regarding whether or not people notice distractions. People often experience unintentional blindness or a failure to see something that is before them. If drivers are focusing on a changing electronic sign, they are not focused on the traffic in front of them. Mr. Sam Hilburn, Attorney at Law spoke regarding R-10-103, 2010 Master Plan for the Argenta Downtown District. Mr. Hilburn referenced a proposed land swap and asked how that would effect the Master Plan if it were adopted this date. Pastor Victor Moore, Mt. Olive Missionary Baptist Church spoke regarding O-10-53, requesting Atkinson Street be renamed to Mt. Olive. He thanked the mayor for the opportunity to speak. Several members of the church were present and stood to show their support of this issue (approximately 15-20). There being no one else wishing to be heard, and there being no unfinished business, Mayor Hays called for new business.

UNFINISHED BUSINESS

None.

NEW BUSINESS

R-10-99 (RESOLUTION NO. 7682 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2223 EAST 2ND STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID

STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by

Alderwoman Ross and seconded by Alderwoman Robinson. Mayor Hays convened a public hearing. Pastor Raymond Govan said plumbing and electrical work will be done on the house. The repairs needed are not major. Ms. Felicia McHenry, Code Enforcement said there was a fire in the house in March, 2010. Mr. Govan was given 60 days to start working on the property. Ms. McHenry has not been able to contact him for a followup inspection. She advised Mr. Govan has a tenant living in the structure who complained to code about not having utility services. Mayor Hays advised Mr. Govan he has the option of meeting with Code Enforcement and the City Attorney to make arrangements for a rehabilitation plan for the structure. Alderman Baggett asked Mr. Govan if he had collected rent from a tenant. Mr. Govan said he did not. There being no one else wishing to be heard, and on the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0). (*owner: Harvest Interdenominational Ministry c/o Raymond Govan*)

R-10-100

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1718 POPLAR STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderman Baggett. The legislation was withdrawn by the sponsor Mayor Hays at the request of Code Enforcement Director Tom Wadley. (*owner: Roy and Karen Skinner Living Trust*)

R-10-101 (RESOLUTION NO. 7683 - MAYOR HAYS)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 3914 ROGERS STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman White. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. The roll having been called and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0). (*owner: James R. and L. Carpenter*).

R-10-102 (RESOLUTION 7684 - MAYOR HAYS)

A RESOLUTION APPROVING AMOUNTS OF LIENS TO BE CERTIFIED TO THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderwoman Ross and seconded by Alderwoman White. Mayor Hays convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the motion of Alderwoman Ross and seconded by Alderman Baggett, and by consent of all members present, Exhibit "A" was amended as follows:: *on page 3, delete the second item (pertaining to 23N0710002400, Lot 03 Block 07, Poe's Addition* (8/0). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-10-103

A RESOLUTION ACCEPTING THE 2010 MASTER PLAN FOR THE ARGENTA DOWNTOWN DISTRICT; AND FOR OTHER PURPOSES, was read. Mr. Carter said the plan is an expression of intent for what the city council foresees as the future growth and development of the area. This would not compel a land exchange as referenced by Mr. Hilburn. Alderman Phillips asked if property owners in the area would receive a notice. Mr. Carter said any time there is a change in zoning, adjacent property owners would be notified. Mr. Lawrence Finn, Development Director at Hendrix College said the plan was developed over 18 months. It is a vision, direction and guide. Alderman Hight asked for an explanation of a real estate swap. Mayor Hays said the Master Plan and land swap are not tied together. The legislation was then

held by the sponsor, Mayor Hays. A public hearing was scheduled for Monday, August 9, 2010, at 7:05 p.m. Mayor Hays reminded everyone who will speak that they will have to sign in before the meeting is convened.

R-10-104 (RESOLUTION NO. 7685 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARKANSAS AGRICULTURE DEPARTMENT REGARDING AWARD OF A \$300,000 GRANT FOR INSTALLATION OF A COMPRESSED NATURAL GAS (CNG) FUELING STATION TO BE LOCATED AT NORTH OLIVE STREET AND CURTIS SYKES DRIVE IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Phillips. Mayor Hays referenced a map illustrating locations of CNG Stations in surrounding states. Chesapeake and Southwestern Energy have also agreed to provide funding (\$100,000.00 each). The total price of the station would be approximately \$605,000.00. The city's obligation would be about \$105,000.00. Mr. Zachary Taylor, Arkansas Department of Agriculture spoke on behalf of Secretary of Agriculture Richard Bell who could not attend. The department is excited to see this be the first CNG station in their program. Funding is from the Arkansas Alternative Fuels Fund. North Little Rock will be the first city to disperse compressed natural gas. Mayor Hays lead an effort with Central Arkansas Transit Authority to acquire CNG buses, however, the board of directors voted it down due to the initial cost of the fueling option. Alderman Phillips has friends in Birmingham who are in the towing business. They use compressed natural gas and have found they cannot travel a distance because of the location of stations. This station will allow them the opportunity to fuel up in North Little Rock.

Alderwoman Ross asked where the \$300,000.00 would come from prior to the grant funds being reimbursed to the city. Mr. Bob Sisson, Finance Director, advised that most grant projects are reimbursed upon completion. Alderwoman Ross said this would be a convenient stop for people traveling cross country. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-10-105 (RESOLUTION NO. 7686 - MAYOR HAYS)

A RESOLUTION ACCEPTING FUNDING FROM SOUTHWESTERN ENERGY COMPANY TO BE USED TOWARD THE CONSTRUCTION COSTS OF A COMPRESSED NATURAL GAS ("CNG") STATION; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH SOUTHWESTERN ENERGY; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Taylor and seconded by Alderman Baggett. Mayor Hays reviewed an amendment distributed by the City Attorney. On the motion of Alderman Taylor and seconded by Alderman Phillips, the resolution was amended as follows:: *attach Exhibit "A" provided this date (8/0)*. On the motion of Alderman Baggett and seconded by Alderman Phillips, the Exhibit "A" of the resolution was amended as follows:: *in the letter, item 4., insert WHEN, and at the end of the sentence strike through ~~rate paid by the City for 10 years~~, and insert LEAST EXPENSIVE RATE TO ANY CUSTOMER OF THE FACILITY; and, under Terms GOAL, strike through ~~two~~ and insert TWO, and following To be fully operational ~~NLR~~ and insert ON, and at the end of the sentence add OR AS SOON THEREAFTER AS REASONABLY POSSIBLE, and under Terms ROLES, following Sustainability, insert OR SUCH OTHER CITY EMPLOYEE AS MAY BE DESIGNATED BY THE MAYOR, and under Terms FACILITY SITE, replace second sentence with THE CITY*

HAS ACQUIRED THE TARGETED PARCELS AND SHALL ENSURE THAT ALL STRUCTURES THEREON, INCLUDING THOSE DESCRIBED HEREIN, SHALL CONFORM TO APPLICABLE LAW IN BOTH CONSTRUCTION AND USE (*note: see proposed amendment provided by City Attorney this date*) (8/0). Mayor Hays said this is an investment for our citizens to have another option for fueling. On the motion of Alderman Taylor and seconded by Alderman Baggett, and by consent of all members present, the resolution was unanimously adopted as amended (8/0).

R-10-106 (RESOLUTION NO.7687 - MAYOR HAYS)

A RESOLUTION ACKNOWLEDGING THE SUPPORT AND FUNDING CONTRIBUTION FROM CHESAPEAKE ENERGY FOR THE COMPRESSED NATURAL GAS ("CNG") STATION TO BE LOCATED AT CURTIS SYKES DRIVE AND NORTH OLIVE STREET IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderwoman Ross, and by consent of all members present, the resolution was unanimously adopted (8/0).

R-10-107 (RESOLUTION NO. 7688 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MANAGEMENT AGREEMENT WITH MAIN STREET ARGENTA, INC., TO MANAGE THE CONSTRUCTION OF IMPROVEMENTS TO THE SMARHOUSE WAY PROPERTY; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Phillips. Mayor Hays refreshed everyone's memory regarding the development of the Smarhouse Way property which is approximately 6 to 7 acres catcorner to the baseball park. The property had lead contamination which has been cleaned up. Mr. Michael Drake, Director of Sustainability said the cost of removal was approximately \$683,000.00. The city is paying on a no-interest loan, with the first payment being due next year. The location of power lines on the property rendered parts of it unusable. Relocating the lines make it a viable property for sale. The appraised value is \$3,300,000.00. On the previous motion, and all members present having voted in the affirmative, the resolution was unanimously adopted (8/0).

R-10-108 (RESOLUTION NO. 7689 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE NORTH LITTLE ROCK HISTORY COMMISSION TO ENTER INTO AN AGREEMENT WITH ARCADIA PUBLISHING COMPANY FOR THE PUBLICATION OF A PHOTOGRAPH BOOK ON THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Baggett, and by consent of all members present the resolution was unanimously adopted (8/0).

R-10-109 (RESOLUTION NO. 7690 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY ATTORNEY TO INITIATE EMINENT DOMAIN PROCEEDINGS AGAINST PROPERTY LOCATED SOUTHEAST OF EAST WASHINGTON AVENUE AND VANCE STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Phillips, and by consent of all members present, the resolution was unanimously adopted (8/0).

O-10-50 (ORDINANCE NO. 8272 - MAYOR HAYS)

AN ORDINANCE APPROVING AN ADDITIONAL FRANCHISE PAYMENT TO THE CITY OF SHERWOOD, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Taylor and seconded by Alderman Hight, and by consent of all members present, with the exception of Aldermen Ross and Baggett who voted no, the rules were suspended and the ordinance was placed on its second reading (6/2). On the motion of Alderman Hight and seconded by Alderman Taylor, and by consent of all members present, with the exception of Aldermen Ross and Baggett, who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (6/2). The ordinance was read a third and final time. Alderwoman Ross said the City of North Little Rock collects the Franchise Fee for the City of Sherwood. They will receive \$1.1 million on 6,900 bills for a period of one-year. North Little Rock doesn't receive additional franchise fees from other companies (i.e. Centerpoint, AT&T, etc.). Sherwood has no liability. They do not pay to replace broken seals at the Hydro Plant, or have concerns when we want to give our employees raises. Mayor Hays said roughly 17% of our customer base is in Sherwood. North Little Rock was able to reduce rates 5% to residents and 3% to businesses within the city and increase the Electric Departments contribution to the General Fund. The roll having been called, and all members present having voted in the affirmative, with the exception of Alderwoman Ross who voted no, the ordinance was adopted (7/10). On the emergency clause, all members present voted in the affirmative, with the exception of Alderwoman Ross who voted no, emergency clause adopted (7/1).

O-10-51 (ORDINANCE NO. 8273 - MAYOR HAYS)

AN ORDINANCE WAIVING FORMAL BIDDING REQUIREMENTS FOR ON-SITE REPAIR WORK TO REFURBISH THE SHIFTING GATE RING FOR UNIT 1 AT THE MURRAY HYDRO PLANT; APPROPRIATING FUNDS (\$807,500.00 - *Electric Department Capital Expense Fund*); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was unanimously adopted (8/0) Emergency clause unanimously adopted (8/0).

Alderman Hight ask the status of the Hydro Plant. Mr. Bob Reynolds, North Little Rock Electric Department advised Unit 2 was started this afternoon. Mr. Mike Russ, North Little Rock Electric General Manager said the Plum Point Plant is going on-line next month. Alderman Phillips asked when the park and fishing area by the Hydro Plant will reopen, he has had several complaints from fishermen. Mr. Reynolds said the area will open as soon as everything is up and running safely. Mayor Hays said if the park is closed it's because there may be a risk to people working in the area or crossing the area.

O-10-52 (ORDINANCE NO. 8274 - MAYOR HAYS)

AN ORDINANCE AMENDING ORDINANCE NOS. 8261 AND 7697 ("THE ZONING ORDINANCE") TO RESTRICT THE PLACEMENT OF NEW ELECTRONIC CHANGEABLE COPY SIGNS TO CERTAIN DISTRICTS WITHIN THE CITY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. Mayor Hays

talked with Traffic Services Director Tim Marvin and Planning Director Robert Voyles regarding the distance from traffic signaling devices. Mr. Marvin said the distance should be 200 feet from the point of stopping, which he felt is a safe stopping distance and 25 feet is from the intersection or light itself, therefore Mayor Hays recommended a 225 foot distance from the light in the direction of the road. On the motion of Alderwoman Robinson and seconded by Alderwoman Ross, and by consent of all members present, with the exception of Aldermen Hight and Witcher who voted no, the rules were suspended and the ordinance was placed on its second reading (6/2). On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present with the exception of Aldermen Hight and Witcher who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (6/2). The ordinance was read a third and final time. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and by consent of all members present, with the exception of Alderman Hight, who voted no, the ordinance was amended as follows:: *insert 225 in Section 1 regarding subsection 14.107.F, and Section 2 regarding subsection 14.108.F (7/1).* A motion to adopt as amended was made by Alderwoman Robinson and seconded by Alderwoman Ross. Alderman Hight continues to be steadfast in banning Electronic Changeable Copy Signs in North Little Rock. This discussion has been ongoing for 18 months. Ward 4 aldermen worked on what they thought was best for their ward, as did each of the other council members regarding their wards. Alderman Hight said the statistics being considered are at least three years old which was before Landers Road and Warden Road were refurbished. The East McCain District involves parts of Ward 1 and Ward 4. Alderman Hight referenced existing Electronic Changeable Copy signs at North Hills and Crestwood; and North Hills and McCain. This legislation deals with ECCS on East McCain and North Hills Boulevard because of safety issues. Why doesn't this apply to sign districts citywide? An amendment could be proposed at the next meeting. Mayor Hays said he did not support the addition of these two districts. Mr. Marvin advised Mayor Hays that more accidents occur at intersections than on straight-aways. Alderman Witcher said if this is an issue at one intersection, then it should be at all intersections with signalization, and the rules should be uniform city-wide. Alderman Witcher asked Mr. Carter to provide an amendment to reflect the wishes of he and Alderman Hight. Alderman Witcher asked if this proposal would take away property owner rights. Alderman Witcher then proposed an amendment to apply this restriction to all areas in the city where there are traffic signaling devices. Mayor Hays opposed an amendment of this nature at this time, but would support it in separate legislation at the next meeting. Mayor Hays then recessed the meeting at 9:19 p.m. to allow Mr. Carter time to prepare an amendment for Alderman Witcher. Prior to the recess, O-10-53 was called (see below).

The meeting was reconvened at 9:38 p.m.

Mr. Carter, (on behalf of Alderman Witcher) distributed and reviewed an amendment which removed *certain districts* from the title of the ordinance, and Section 14.19, would be amended as it applies to all ECCS Districts. Alderwoman Ross said she would like to know the wishes of

the other ward representatives before voting on the amendment. Alderman Taylor said this amendment may be good for some areas, it may not be for areas in Ward 2. A lot of the area is under development. Alderman Baggett said business owners want the option of having an ECCS. A motion to amend as follows was stated by the City Attorney:: *see hard copy provided this date*, said motion was made by Alderman Hight and seconded by Alderman Witcher, the following members having voted no: Ross, White, Taylor, Robinson, Baggett, and Phillips, and the following members having voted yes: Hight and Witcher, the motion failed (2/6). On the motion of Alderwoman Ross and seconded by Alderman Taylor, and the roll having been called, and the following members having voted in the affirmative: Ross, White, Taylor and Robinson, and the following members having voted no: Baggett, Phillips, Hight and Witcher, and the Mayor having voted yes, the ordinance was adopted as currently amended (5/4). On the emergency clause, the following members voted yes: Ross, White, Taylor, Robinson, and Phillips, and the following members voted no, Baggett, Hight and Witcher, and the Mayor having voted yes, the emergency clause was adopted (6/3).

O-10-53

AN ORDINANCE CHANGING THE NAME OF ATKINSON STREET TO MT. OLIVE BOULEVARD IN THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time and held by the sponsor, Alderwoman Robinson. A public hearing will be held on Monday, August 9, 2010, at 7:05 p.m.

O-10-54 (ORDINANCE NO. 8275 - ALDERMAN TAYLOR)

AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 4508 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, FROM R-3 TO C-3, TO ALLOW A RETAIL BUSINESS STRIP CENTER, BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (8/0). On the motion of Alderwoman Robinson and seconded by Alderman Taylor, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (8/0). The ordinance was read a third and final time. Alderman Witcher asked the applicant Mr. Norman Clifton if he was going to sell the property. Mr. Clifton said the property is for sale, but he does anticipate developing it. Alderman Taylor said property in the area is zoned C-3. This is the only one with the current zoning. On the motion of Alderman Taylor and seconded by Alderwoman Robinson, and the roll having been called, and all members present having voted in the affirmative, the ordinance unanimously adopted (8/0). Emergency clause unanimously adopted (8/0). (*applicant: Norman Clifton*)

PUBLIC COMMENTS-----

Alderman Baggett discussed an article from the New York Post (online) that he distributed to all council members. The article is about Senator Eric Adams who bankrolled “*Stop the Sag*” billboards in Brooklyn, urging youths to stop wearing their pants low enough to show their underwear. Alderman Baggett said young men are running around with their pants around their knees. This is appalling. Bill Cosby spoke to the NAACP regarding this topic in 2004. In New York and Texas, billboards are being erected and city councils are passing legislation to prohibit it. Alderman Baggett had three young men go by his business with their hind-ends showing. He

asked them to pull up their pants. People are required to wear a shirt and shoes to get service in most restaurants. Exposing ones underwear can be related to gang activity. This is not a race issue. Alderman Taylor said this is a matter of teaching young men on how to conduct themselves. Legislation will create problems for the police department and animosity between our youth and the police. Alderwoman Ross said Tuesday, August 3, 2010, is the annual National Night Out Celebration and encouraged people to attend events in the community. Alderwoman White reminded everyone to turn on their porch lights on Tuesday. Mayor Hays said the location of events will be posted to the city's website. Alderman Phillips said the City Services Building doesn't have a button for handicapped people to push to open the door so they can enter the building. Alderman Baggett asked about lights in the restrooms at the Big Dam Bridge. Mayor Hays said as of today there are lights in the restrooms. However, they have been stolen several times. Mr. James Ard thanked Patti at Animal Control. She spent over two hours in rerouting traffic due to an accident on the interstate. Mr. Ard said he would support a fund to help sponsor the girls softball team. Mr. Ard has no quarrels with bicyclists, but they should ride on the side of the road. He verified with Police Chief Danny Bradley that if a motorist passes on a double yellow line, they will be given a ticket. James Welspom spoke regarding sagging pants. Grown men are walking around with their pants down. Politicians won't speak up because they are afraid of losing votes. Laws are created to be fair to everyone. African Americans don't need to be patronized. North Little Rock needs to say enough is enough. He encouraged council members to do the right thing regarding this matter. Mayor Hays reminded everyone of the upcoming "Backpack and Tennis Shoe" event on Saturday, August 14, 2010, through the North Little Rock Police Department and Officer Tommy Norman. Donations are currently being accepted. The North Little Rock Fire Department and the North Little Rock Health Department are currently collecting "gently" used and new box fans to be distributed to residents who don't have air conditioning. Several people have died in Arkansas from heat related illness.

There being no further business to come before the Council, and on the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 10:09 p.m. (8/0), until the next regularly scheduled meeting to be held on Monday, August 9, 2010, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS
ATTEST: DIANE WHITBEY, CITY CLERK